



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,396	07/02/2003	Daniel W. Mauney	27592-00162-US6	3179
7590 05/29/2007 Connolly Bove Lodge & Hutz LLP 1990 M Street NW, Suite 800 Washington, DC 20036-3425			EXAMINER DOAN, KIET M	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 05/29/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/612,396

Applicant(s)

MAUNEY ET AL.

Examiner

Kiet Doan

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07/02/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is response to Remarks file on 03/16/2007.

Claims 1, 2, 4-6, 12, 26, 28 are amended.

Claims 29-49 are new.

Response to Arguments

2. Applicant's arguments with respect to claims 1-49 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah (US 6,029,065) in view of Young et al. (US 5,905,956).

Consider **claims 1, 12, 21, 28, 30, 36, 41**. Shah teaches a proximal wireless communication device comprising:

a memory to store a plurality of entries identifying a set of wireless network devices (C4, L1-10, C6, L1-8, teach mobile station store list of feature as Fig.2, Illustrate memory 50), each entry of the plurality of entries associated with a wireless network device of the set of wireless network devices and including a unique device identification number (C6, L26-38);

circuitry to enable selection of one or more entries from the plurality of entries to

provide one or more selected entries;

circuitry to generate a find signal based on said one or more selected entries
(C3, L43-49, C4, L10-20, C15, L45-67 teach mobile selected feature wherein the mobile contain circuit for the users enable selection). Shah teaches the limitation of claims as discuss **but silent on** and

wireless communication circuitry configured to transmit the find signal to determine whether the wireless network device associated with a selected entry of the plurality of entries is within range to establish a handset-to-handset communication.

In an analogous art, Young teaches "Method for identifying active handset in a cordless telephone system". Further, **Young teaches** and

wireless communication circuitry configured to transmit the find signal to determine whether the wireless network device associated with a selected entry of the plurality of entries is within range to establish a handset-to-handset communication (Abstract, C1, L22-33, C4, L1-10 teach base station having feature and list of handset and make handset to handset communication, and wherein claims 12, 21, 30, 36 are recited similar limitations which select from feature, transceiver the identification number).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Shah and Young system, such that wireless device contain memory to store a plurality of entries identifying a set of wireless network devices and including a unique device identification number, select the entries and when within range establish a handset-to-handset communication to provide means

for saving cost that the users capable of operated the wireless device in different type of networks in any location by selecting the features

Consider **claims 2, 42**. Young teaches the proximal wireless communication device of claim 1, wherein the wireless communication circuitry is configured to receive a response signal indicating that the wireless network device associated with the selected entry including is within range to establish a handset-to-handset communication (C1, L22-33, C4, L1-10).

Consider **claims 3, 43**. Shah teaches the proximal wireless communication device of claim 2, wherein the memory further includes a record indicating a found status associated with a unique device identification number included in the response signal (C4, L1-20, C6, L26-38).

Consider **claims 4, 44**. Shah teaches the proximal wireless communication device of claim 1, wherein the wireless communication circuitry is configured to transmit a list of the set of wireless network devices to the particular wireless network device associated with a selected entry (C3, L43-49, C4, L10-20).

Consider **claims 5, 45**. Shah teaches the proximal wireless communication device of claim 1, wherein the wireless communication circuitry is configured to issue a

Art Unit: 2617

page message including the unique identification number associated with the selected entry (C4, L16-20, C6, L26-35).

Consider **claims 6, 14, 24, 46**. Shah teaches the proximal wireless communication device of claim 5, wherein the wireless communication circuitry is configured to receive a page response including the unique identification number associated with a selected entry; and wherein the wireless communication circuitry is configured to establish a voice communication link with the wireless network device associated with the unique identification number (C7, L55-63).

Consider **claims 7, 47**. Shah teaches the proximal wireless communication device of claim 5, wherein the wireless communication circuitry is configured to issue a page message including a second unique identification number associated with a second selected entry in the plurality of entries (C16, L27-43).

Consider **claims 8, 48**. Shah teaches the proximal wireless communication device of claim 7, wherein the wireless communication circuitry is configured to receive a page response including the second unique identification number associated with the second selected entry; and wherein the wireless communication circuitry is configured to establish a voice communication transmission associated with the second unique identification number (C7, L55-63, C16, L27-43).

Consider **claims 9 and 18**. Shah teaches the proximal wireless communication device of claim 1, wherein at least one of the plurality of entries is manually entered by a user (C9, L30-35, C15, L53-55).

Consider **claims 10, 11, 13, 31**. Shah teaches the proximal wireless communication device of claim 1, wherein at least one of the plurality of entries is acquired via a link to a computational device (Fig.4, Illustrate and described).

Consider **claims 15, 25, 32**. Young teaches the method of claim 13, wherein the communication comprises a short range message communication (C1, L25-27 teach communication between handset to handset which inherently in short range message communication).

Consider **claims 17, 26, 33**. Shah teaches the method of claim 16, wherein the list of identified wireless communication devices is incorporated into the plurality of entries (C4, L1-2).

Consider **claims 19, 27, 34, 40**. Shah teaches the method of claim 12, wherein the response message is received on a registry channel (C6, L39-45).

Consider **claim 20, 35**. Shah teaches the method of claim 12, wherein the plurality of authorized wireless communication devices are authorized by a service provider for direct wireless communication (C8, L19-20).

Consider **claims 22, 37**. Shah teaches the method of claim 21, further comprising: providing notification of the call request (C5, L61-65).

Consider **claims 23, 38**. Shah teaches the method of claim 21, further comprising: negotiating a direct connection channel with the second wireless communication device; and initiating a communication with the second wireless communication device over the direct connection channel (C7, L55-63, C16, L27-43).

Consider **claim 29**. Shah teaches the proximal wireless communication device of claim 1, further comprising:

An antenna to be couple to said wireless communication circuitry (C5, L61-65).

Consider **claim 39**. Shah teaches the medium of claim 38, wherein the communication comprises a communication selected from the group consisting of: a voice communication, a short range messaging communication, and a list of wireless device identification numbers (C4, L1-13, C7, L55-63).

Art Unit: 2617

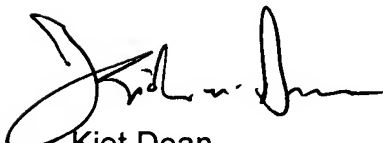
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863.


The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Kiet Doan
Patent Examiner



JOSEPH H. FEILD
SUPERVISORY PATENT EXAMINER